C.S. 100 (1) (2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

WRIT PETITION NO 1155 OF 2004

PETITIONER

Surendra Kumar Jaiswal
S/o Late Kashi Prasad Jaiswal
Aged about 24 years R/o Hasdeo
Dafai, Iassary Collieries, District
Korea (C.G)

VERSES

RESPONDENT

1. South Eastern Coldfields Limited
Though - Chairman cum Managing
Director, Bilaspur (C.G.)

2. Chief General Manager
South Eastern Coldfields Limited
Hasdeo area, P. O. South
Jhagrakhand, Distt Korea (C.G)

3. Chief Personnel Manager
South Eastern Coldfields Limited,
Hasdeo area, P. O. South
Jhagrakhand, Distt Korea (C.G)

4. Manager
South Eastern Coldfields Limited
Office of the Manager, Palimara
Incline, P. O. South Jhagrakhand,
Distt Korea (C.G)

P. R. No. 11-21 of
Presented by Shri Sapna Kashyap
dated 13-4-04

शपथ आयुक्त
एम.के शुक्ला
बिलासपुर तहसील छत्तीसगढ़

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(119)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.1155/ **सन्** 2004

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

4-4-2005

Dr. Shailesh Ahuja, counsel for the petitioner.

Mr. H.B. Agrawal, Senior Advocate with Mr. Pankaj Agrawal, Advocate for the respondents.

Heard.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India, on the ground that he is son of Late Kashi Prasad Jaiswal, who was working as Loader in the South Eastern Coalfields Limited. However, some inquiry was instituted against the father of the petitioner on the ground of unauthorized absence from the duty and he was terminated on 4-1-1997 upon which he made representation to the authorities, but the respondent authorities did not pay any heed, and in the meantime, Kashi Prasad Jaiswal died. Therefore, the petitioner's mother made a representation vide Annexure P-8 to the respondent authorities to appoint the petitioner on compassionate ground and no appointment has been made. Even the petitioner made representation that has not been considered by the respondents.

Return has been filed on behalf of the respondents in which it has been stated that since Late Kashi Prasad Jaiswal was terminated from service, therefore, the petitioner is not entitled for appointment on compassionate ground.

However, learned counsel for the petitioner submits that the respondents ought to have decided the representation moved by the petitioner, therefore, they be directed to decide the representation to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the respondents are directed to decide

XI-HC-22

(120)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	the representation made by the mother of the petitioner within a period of eight weeks from the date of receipt of copy of this order, in accordance with law. It is made clear that if the representation filed by the mother of the petitioner is not available with the respondents then the petitioner can make a fresh representation within two weeks from today raising all his grievances, and the respondents are directed to decide the same within another eight weeks from the date of receipt of the representation. With the directions aforesaid, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

(पीछे देखिये)